

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

Docket No. 2001-223

December 23, 2004

MAINE PUBLIC UTILITIES COMMISSION  
Maine Telecommunications Education Access  
Fund

ORDER

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

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**I. SUMMARY**

In this Order, we authorize the Maine Telecommunications Education Access Fund (MTEAF) Advisory Board to pursue the option of obtaining a higher level of bandwidth (greater than T-1, less than T-3<sup>1</sup>) for schools and libraries making maximum use of their current T-1 connections to the Maine School and Library Network, beginning in July 2005. Provisioning of such expanded bandwidth will be conditioned on the availability of state MTEAF funds and Federal E-Rate funds.

**II. BACKGROUND AND DECISION**

We have previously approved the provision of 56 Kbps, T-1, and DSL connections to the Internet for schools and libraries. We have also approved financial support for 91 high schools with ATM connections. According to the MTEAF Advisory Board, the usage of some schools and libraries may exceed the capacity of their T-1 connection in the near future. To prepare for this, we authorize the MTEAF Board to work with the Department of Education and State Library to pursue the option of providing a level of bandwidth between a T-1 and T-3 for such schools and libraries beginning in July 2005 (the start of the next Federal E-Rate cycle). We will separately consider what level of usage will qualify for such an upgrade. The provision of such upgrades will be conditioned on the availability of sufficient MTEAF funds and Federal E-Rate funds.

Dated at Augusta, Maine, this 23<sup>rd</sup> day of December, 2004.

BY ORDER OF THE COMMISSION

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Dennis L. Keschl  
Administrative Director

COMMISSIONERS VOTING FOR:      Welch  
   Diamond  
   Reishus

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<sup>1</sup> T-1 speeds equal 1.544 Mbps and T-3 speeds equal 44.736 Mbps.

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within **21 days** of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320(1)-(4) and the Maine Rules of Appellate Procedure.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320(5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.